

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at WINCHESTER

UNITED STATES OF AMERICA )  
                                )  
                                Case No. 4:09-cr-25  
v.                             )  
                                )  
                                MATTICE / LEE  
CIRILO CASTILLO-AMARO    )  
                                )

**O R D E R**

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:  
(1) grant Defendant's motion to withdraw his not guilty plea to Counts One, Two and Three of the three-count Superseding Indictment (2) accept Defendant's plea of guilty to Counts One, Two and Three of the Superseding Indictment; (3) adjudicate Defendant guilty of the charges set forth in Counts One, Two and Three of the Superseding Indictment; and (4) Defendant has been released on bond under appropriate conditions of release pending sentencing in this matter without objection [Doc. 29]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 29] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1)      Defendant's motion to withdraw his not guilty plea to Counts One, Two and Three of the Superseding Indictment is **GRANTED**;
- (2)      Defendant's plea of guilty to Counts One, Two and Three of the Superseding

Indictment is **ACCEPTED**;

- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One, Two and Three of the Superseding Indictment;
- (4) Defendant **SHALL REMAIN** on bond under appropriate conditions of release pending sentencing in this matter without objection which is scheduled to take place on **Monday, March 22, 2010 at 2:00 p.m. [EASTERN]** before the Honorable Harry S. Mattice, Jr.

**SO ORDERED.**

**ENTER:**

*/s/Harry S. Mattice, Jr.*  
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HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE